

**BISMARCK RENAISSANCE ZONE AUTHORITY
MEETING MINUTES
February 13, 2020**

The Bismarck Renaissance Zone Authority met on February 13, 2020 in the David J. Blackstead Meeting Room in the City-County Office Building at 221 North 5th Street. Chair Christianson presided.

Authority members present were Jim Christianson, Joe Fink, Dustin Gawrylow, George Keiser, Todd Van Orman, Curt Walth and Greg Zenker.

Technical Advisor Steph Smith was present.

Technical Advisor Bruce Whittey was absent.

Staff members present were Sandra Bogaczyk (Office Assistant), Jannelle Combs (City Attorney), Ben Ehreth (Community Development Director), Will Hutchings (Planner), Allison Jensen (City Assessor), Brenda Johnson (Senior Real Property Appraiser), Kim Lee (Planning Manager) and Daniel Nairn (Planner).

Guests present were Madison Cermak and Kate Herzog (The Downtowners), Amy Steinle and Brett Donat, (EAPC), Albert Daou (Lander Group), Tory Jackson (Jackson Law Firm), Susan Dingle (Citizen) and Jerry Anderson (Ten on Main, LLC).

CALL TO ORDER

Chair Christianson called the meeting to order at 4:00 p.m.

MINUTES

Mr. Nairn stated that Curt Walth's absence from the November 14, 2019 meeting was omitted from the minutes.

The minutes of the January 9, 2020 meeting were distributed prior to the meeting.

MOTION: A motion was made by Mr. Walth and seconded by Mr. Zenker to approve the minutes of the January 9, 2020 meeting. The motion passed unanimously by voice vote with members Fink, Gawrylow, Keiser, Van Orman, Zenker, Walth and Chair Christianson voting in favor.

Chair Christianson stated that item number four was withdrawn from the agenda.

RENAISSANCE ZONE PROJECT – 112-120 EAST AVENUE A AND 506-510 NORTH 2ND STREET – THE GROVE – NEW CONSTRUCTION

Mr. Nairn explained that the project formerly known as Lander Group West Project is now titled The Grove. He stated that this hearing is a continuation of last month's agenda item, that neighbors have since been properly notified and that he received two phone calls regarding the project and neither stated any opposition to the project.

Mr. Nairn gave an overview of the staff report and stated that the applicant, The Lander Group, is requesting approval of a New Construction Renaissance Zone project for the construction of four new multi-family residential structures at 112-120 East Avenue A and 506-510 North 2nd Street. Each structure would be a 3-story 5-plex, and three of the structures would also contain an additional carriage house unit. In total, there would be 23 residential units on the site. During the January 9, 2020 meeting of the Renaissance Zone Authority, the associated Downtown Design Review project was approved, including new construction and demolition of existing buildings on the site, on the condition that the applicant provide more details on the retaining wall or grading along East Avenue A and the lighting plan for the rear parking area which will be addressed separately. The five existing parcels will be combined into one parcel.

Mr. Nairn stated that the project meets Renaissance Zone project criteria including exceeding the minimum investment cost per square foot of finished floor area. He stated that the applicant intends to amend the rear parking area by adding enclosed garages in some locations previously shown as surface parking lot, which is reflected in the revised site plan submitted in the packet. He stated that the owner intends to begin construction by the end of March 2020 with expected occupancy by the end of March 2021.

Mr. Nairn stated that, based on information contained in the staff report, staff recommends approval of the New Construction Renaissance Zone project at 112-120 East Avenue A and 506-510 North 2nd Street for four multi-family residential buildings, as presented in all submitted documents and materials, a 100% property tax exemption on the buildings for five years and an exemption from state tax on income derived from the location for five years.

Mr. Keiser asked Mr. Donat to review the revised parking plan. Mr. Donat called attention to the visual representation of parking. Mr. Nairn stated that the previous parking plan showed 27 off-street parking spaces, but that this number may have changed with revisions to the site plan. He further stated that a variance request has been submitted, but it is unclear at this time how many spaces are proposed.

Mr. Keiser expressed concern about the amount of traffic already in this area and Authority members discussed parking conditions.

Mr. Walth asked what the height of the retaining wall would be. Mr. Donat stated that the retaining wall would not be a separate wall and be incorporated into the building. Mr. Donat showed Authority members the height of the wall at different points along the graded lot.

Mr. Fink asked the applicant if he could address the lighting which Authority members requested clarification on. Mr. Donat stated that down-lighting would be placed on garages so as not to shine into neighboring property.

Chair Christianson opened the public hearing.

Ms. Herzog reminded Authority members of the letter of support presented at the January meeting where the Downtowners stated that they are in favor of the project.

There being no comments, Chair Christianson closed the public hearing.

MOTION: A motion was made by Mr. Fink and seconded by Mr. Van Orman to approve the New Construction Renaissance Zone project at 112-120 East Avenue A and 506-510 North 2nd Street for four multi-family residential buildings, as presented in all submitted documents and materials, a 100% property tax exemption on the buildings for five years and an exemption from state tax on income derived from the location for five years. The motion passed unanimously with members Fink, Gawrylow, Keiser, Van Orman, Zenker, Walth and Chair Christianson voting in favor.

RENAISSANCE ZONE PROJECT – 202-220 EAST AVENUE A AND 500-506 NORTH 3RD STREET – RENAISSANCE LOFTS – NEW CONSTRUCTION

Mr. Nairn explained that the project formerly known as Lander Group East Project is now titled Renaissance Lofts. He stated that this hearing is a continuation of last month's agenda item, that neighbors have since been properly notified and that he received two phone calls regarding the project and neither stated any opposition to the project.

Mr. Nairn gave an overview of the staff report and stated that the applicant, The Lander Group, is requesting approval of a New Construction Renaissance Zone project for the construction of a four-story multi-family residential building at 202-220 East Avenue A and 500-506 North 3rd Street. He stated that the seven existing parcels would be combined into one parcel and two structures would be demolished. The temporary special use permit currently used as a parking lot by Sanford Health Century expires on May 31, 2020. He stated that the owner intends to begin construction by the end of March 2020. Mr. Nairn verified that costs included in the application are for capital improvements, the cost per square foot exceeds the threshold minimum investment required and that the same construction time frame as The Grove project exists.

Mr. Nairn stated that, based on information contained in the staff report, staff recommends approval of the New Construction Renaissance Zone project at 202-220 East Avenue A and 500-506 North 3rd Street for a four-story multi-family residential building, as presented in all submitted documents and material, a 100% property tax exemption on the building for five years and an exemption from state tax on income derived from the location for five years.

Mr. Keiser asked the applicant to clarify the parking plan. Mr. Donat stated that he is creating 54 parking places for 68 units. Mr. Donat stated that several units will be efficiency units.

Chair Christianson opened the public hearing.

Ms. Herzog stated that this property is along the Blue Route transit line which should alleviate some parking demand by providing alternatives to car ownership.

Ms. Dingle stated that she lives in the neighborhood and she is really excited about the project and likes how the project supports infill goals. She stated that the developer has a long time commitment to Bismarck and stated that everything about the project is exciting.

There being no comments, Chair Christianson closed the public hearing.

MOTION: A motion was made by Mr. Walth and seconded by Mr. Fink to approve the New Construction Renaissance Zone project at 202-220 East Avenue A and 500-506 North 3rd Street for a new four-story multi-family residential building, as presented in all submitted documents and materials, a 100% property tax exemption on the buildings for five years and an exemption from state tax on income derived from the location for five years. The motion passed with members Fink, Gawrylow, Van Orman, Zenker, Walth and Chair Christianson voting in favor of the motion with Authority member Keiser opposing the motion.

Chair Christianson thanked the applicants and wished them good luck.

DOWNTOWN DESIGN REVIEW – 403 EAST MAIN AVENUE TEN ON MAIN LLC – FAÇADE REHABILITATION

Mr. Nairn gave an overview of the staff report and stated that the applicant, Ten on Main, LLC, is requesting Downtown Design Review approval for the rehabilitation of the building façades facing East Main Avenue and North 4th Street at 402 East Main Avenue. Mr. Nairn stated that the overall objective of the project is to remove stucco and restore the underlying historic façade to the greatest extent feasible. He stated that the building is within the Downtown Bismarck Historic District, but is not considered a contributing structure due to the materials used in its former refurbishment. The building was built in 1913 and later occupied by the Woolworths

Department Store, but did not retain enough of its original integrity to be deemed historically significant. Mr. Nairn stated that certain elements of the proposed design would encroach into the public right-of-way, including four projecting signs and canopies over the doorways on the south side. All proposed encroachments can be included in a single agreement to be signed by the City Commission.

Mr. Nairn stated that, based on the findings contained in the staff report, staff recommends approval of the proposed design for 402 East Main Avenue, as presented in all submitted documents and materials, with the following conditions:

1. An encroachment agreement is obtained from the Engineering Department for any encroachments into the public right-of-way.
2. Any substantive revisions to the approved design must be reconsidered by the Downtown Design Review Committee prior to implementation if any new materials are applied to, or original bricks or architectural features are removed from, the façade where not shown on the design.

Mr. Anderson distributed plans, showed visual evidence and described the process he is taking to discover the materials and the integrity of the underlying structure. He stated that it is an on-going act of discovery and thanked Authority members for their flexibility in allowing him to act appropriately given the varying evidence he may find in different parts of the façade. He stated that he is attempting to restore original brick but also presented examples of Nichiha to Authority members as an alternative possibility to maintain the original look of the building.

Ms. Smith asked if the Nichiha panels would reveal an unfinished edge at the corners. Mr. Anderson stated that there would be corner pieces to cover the seam.

Chair Christianson asked how accurate the colors in the architect's rendering were. Mr. Anderson stated that the colors have yet to be fully exposed and so far several colors have been exposed.

Mr. Walth asked how closely the color can be matched with Nichiha. Mr. Anderson stated that it can be relatively closely matched or he will at least choose a complimentary color.

Chair Christianson asked if the second story windows would be altered. Mr. Anderson stated that the plan does not include changing the second story windows at this time.

Mr. Anderson stated that he is hoping to uncover the original City National Bank sign and intends to keep that rather than resigning to the proposed Ten on Main signage.

Chair Christianson stated that the applicant seems very willing to work with Authority members

and within Downtown Design Review guidelines.

Mr. Fink asked what the applicant expects to find. Mr. Anderson stated that he is unable to make any predictions until more areas are revealed.

MOTION: A motion was made by Mr. Keiser and seconded by Mr. Zenker to approve the proposed design for 402 East Main Avenue as presented in all submitted documents and materials, with the following conditions:

1. An encroachment agreement is obtained from the Engineering Department for any encroachments into the public right-of-way.
2. Any substantive revisions to the approved design must be reconsidered by the Downtown Design Review Committee prior to implementation if any new materials are applied to, or original bricks or architectural features are removed from, the façade where not shown on the design.

The motion passed unanimously with members Fink, Gawrylow, Keiser, Van Orman, Zenker, Walth and Chair Christianson voting in favor.

Chair Christianson thanked the applicant and wished him good luck on the project.

OTHER BUSINESS

DISCUSSION ABOUT POTENTIAL RENAISSANCE ZONE BOUNDARY EXPANSION TO NORTH BISMARCK

Mr. Nairn stated that Authority member Van Orman has requested a discussion about an expansion of the Renaissance Zone into an area in north Bismarck. Mr. Nairn stated that no business or property owners have approached staff within this area. He reminded Authority members that there are 4 ½ blocks remaining to possibly include into the Renaissance Zone and mentioned that 3 of the 4 ½ blocks available can be non-contiguous from the current existing Renaissance Zone. He stated that if Authority members wanted to amend the Development Plan that they could recommend approval to City Commission. Mr. Nairn presented options for two blocks on either side of State Street as attached to the agenda.

Mr. Nairn stated that if Authority members wanted to create a Renaissance Zone island area they should consider whether to apply design guidelines since it would not be in the downtown, where guidelines already are in place.

There was continued discussion about the possibility of creating a Renaissance Zone island area, which locations might be most impactful, how to determine the best locations, and whether prior knowledge of preferential projects is desirable at this time.

Chair Christianson and Mr. Zenker suggested that a survey might assist in discovering the most appropriate locations, if any.

Mr. Fink suggested that it might be more appropriate for the Renaissance Zone Authority to determine an area for incentivizing investment. He asked staff to research a few areas outside the contiguous Renaissance Zone and report results at a future Renaissance Zone Authority meeting.

REPORT FROM CITY STAFF

Ms. Combs reminded Authority members that Authority members should forward any relevant emails to staff regarding a recent open records request.

Mr. Nairn stated that a Downtown Design approval was granted for two wall signs for the Window and Door Store at 815 East Main Avenue.

REPORT FROM THE DOWNTOWNERS

Ms. Herzog stated that a lot of real estate transactions have occurred in the last three weeks, and the Renaissance Zone Authority can expect applications for design review. The Art Center, which is a non-profit entity, is proposed to arrive in the Machining District and will hopefully spur development in that area. She stated that it proves to be a promising year for housing development, especially for market-rate housing.

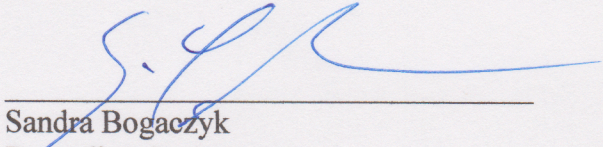
Ms. Herzog gave her thanks to Authority members for all the hard work the Renaissance Zone Authority does.

Mr. Walth asked how long the current Renaissance Zone Development Plan is in effect. Mr. Nairn stated that it is in effect until July 1, 2022, which is a five-year program.

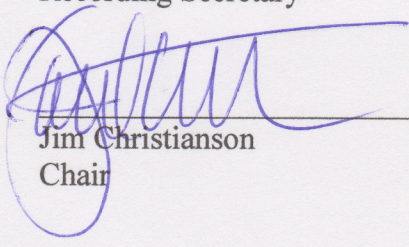
ADJOURNMENT

There being no further business, the meeting of the Bismarck Renaissance Zone Authority adjourned at 4:52 p.m. to meet again on March 12, 2020.

Respectfully submitted,



Sandra Bogaczyk
Recording Secretary



Jim Christianson
Chair